

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JOHN ERIC PARGETT,	)	
	)	No. CV-08-0373-JPH
Plaintiff,	)	
	)	ORDER GRANTING STIPULATED
v.	)	MOTION FOR REMAND
	)	
MICHAEL J. ASTRUE,	)	
Commissioner of Social	)	
Security,	)	
	)	
Defendant.	)	

The parties have filed a stipulated motion for remand of this case to the Commissioner for further administrative proceedings. (Ct. Rec. 18). The parties have filed a consent to proceed before a magistrate judge. (Ct. Rec. 7).

After considering the stipulation, **IT IS ORDERED** that the above-captioned case be remanded for a *de novo* hearing pursuant to sentence four of 42 U.S.C. § 405(g). Upon remand, the Administrative Law Judge will: (1) consider the opinions of Kathy Jamieson-Turner, M.S. (Tr. 291-297) and the ALJ will give further consideration to plaintiff's ability to do past relevant work and, if necessary, his ability to do other work. This remand is pursuant to sentence four of 42 U.S.C. § 405(g) with a remand of

ORDER GRANTING STIPULATED MOTION  
FOR ORDER TO REMAND - 1

1 the cause to the Commissioner for further proceedings. See,  
2 *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

3 Accordingly, this court **reverses** the Commissioner's decision.

4 **IT IS FURTHER ORDERED:**

5 1. The parties' stipulated motion for an order of remand  
6 (**Ct. Rec. 18**) is **GRANTED**.

7 2. Judgment shall be entered for the **PLAINTIFF**.

8 3. An application for attorney fees and costs may be  
9 filed by separate motion.

10 4. The District Court Executive is directed to enter  
11 this Order, forward copies to counsel, and **close** this file.

12 **IT IS SO ORDERED.**

13 **DATED** this 20<sup>th</sup> day of July, 2009.

14  
15 s/James P. Hutton  
16 JAMES P. HUTTON  
17 UNITED STATES MAGISTRATE JUDGE  
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